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Attorney for Debtor

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:) BK-S-19-16636-MKN
) Chapter 11

CENSO, LLC.)

Debtor.)

CENSO, LLC.)

Appellant(s).)

**APPELLANT'S DESIGNATION OF
 RECORD AND STATEMENTS OF
 ISSUES ON APPEAL FROM
 BANKRUPTCY COURT**

v.)

BAP No.: NV-20-1240

NEWREZ, LLC., DBA)
 SHELLPOINT MORTGAGE SERVICING)

Appeal Reference Number: 20-29

Appellee(s).)

DESIGNATION OF RECORD

| Bankruptcy Docket #: | Filing Date: | Brief Description of Documents or Transcript: |
|-------------------------|--------------|---|
| 1 | 10/11/2019 | Chapter 11 Voluntary Petition Non-Individual. Fee Amount \$1717. Filed by COREY B. BECK on behalf of CENSO LLC. |
| 2 | 10/11/2019 | Declaration Re: Electronic Filing Filed by COREY B. BECK on behalf of CENSO LLC. |
| 3 | 10/11/2019 | Meeting of Creditors 341 Meeting to be held on 11/14/2019 at 09:00 AM at 341s - Foley Bldg, Rm 1500. |
| 4 | 10/13/2019 | BNC Certificate of Mailing (Related document(s) (3) Meeting of Creditors. |

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| 7 | 10/16/2019 | Receipt of Filing Fee for Voluntary Petition. |
| 9 | 11/4/2019 | Motion to Extend Deadline to File Schedules or Provide Required Information Filed by COREY B. BECK on behalf of CENSO LLC. |
| 10 | 11/4/2019 | Notice of Hearing Hearing Date: December 4, 2019 Hearing Time: 9:30 AM Filed by COREY B. BECK on behalf of CENSO LLC. |
| 11 | 11/5/2019 | Hearing Scheduled/Rescheduled. Hearing scheduled 12/4/2019 at 09:30 AM at MKN-Courtroom 2, Foley Federal Bldg. |
| 13 | 11/19/2019 | 341 Meeting Continued 341(a) meeting to be held on 11/21/2019 at 12:00 PM at 341s - Foley Bldg,Rm 1500. |
| 14 | 11/22/2019 | 341 Meeting Continued 341(a) meeting to be held on 12/5/2019 at 02:00 PM at 341s - Foley Bldg,Rm 1500. |
| 15 | 12/5/2019 | 341 Meeting Continued 341(a) meeting to be held on 12/12/2019 at 12:00 PM at 341s - Foley Bldg,Rm 1500. |
| 16 | 12/9/2019 | Order Granting Motion To Extend Deadline to File Schedules or Provide Required Information |
| 19 | 12/11/2019 | Application to Employ Corey B. Beck, Esq. as Attorney Under General Retainer Filed by COREY B. BECK on behalf of CENSO LLC. |
| 20 | 12/11/2019 | Notice of Hearing Hearing Date: January 8, 2020 Hearing Time: 9:30 AM Filed by COREY B. BECK on behalf of CENSO LLC. |
| 21 | 12/11/2019 | Certificate of Service with Mailing Matrix Filed by COREY B. BECK on behalf of CENSO LLC. |
| 22 | 12/11/2019 | Non-Individual Summary of Assets and Liabilities, Schedule[s]A/B, Real Property Amount: \$ 873608, Personal Property Amount: \$ 0, D, Creditors Holding Secured Claims Amount: \$ 1400000, E/F, Creditors Holding Unsecured Priority Claims Amount: \$ 0, Creditors Holding Unsecured Nonpriority claims Amount: \$ 501500, G, H, Declaration Concerning Debtor[s] Schedules, Remaining Balance of Schedules and Statements,20 Largest Unsecured Creditors Non-Individual, Statement of Financial Affairs for Non-Individual, Disclosure of Compensation of Attorney for Debtor, List of Equity Security Holders, Verification of Creditor Matrix, Corporate Ownership Statement, Amendment to List of Creditors Filed by COREY B. BECK on behalf of CENSO LLC. |

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| 23 | 12/12/2019 | Hearing Scheduled/Rescheduled. Hearing scheduled 1/8/2020 at 09:30 AM at MKN-Courtroom 2, Foley Federal Bldg. (Related document(s)19 Application to Employ filed by Debtor CENSO LLC.) |
| 24 | 12/12/2019 | 341 Meeting Continued 341(a) meeting to be held on 1/23/2020 at 12:00 PM at 341s - Foley Bldg,Rm 1500. |
| 25 | 12/13/2019 | Notice of Hearing of Continued §341 Meeting Hearing Date: January 23, 2020 Hearing Time: 12:00 PM with Certificate of Service Filed by COREY B. BECK on behalf of CENSO LLC. |
| 26 | 1/8/2020 | Minute Entry Re: hearing on 1/8/2020 9:30 AM. Continued. (related document(s): 19 Application to Employ filed by CENSO LLC.) Appearance: TIMOTHY P. THOMAS (Hearing scheduled 01/22/2020 at 09:30 AM at MKN-Courtroom 2, Foley Federal Bldg. |
| 27 | 1/21/2020 | Supplemental Declaration Of: In Support of Perjury of Corey B. Beck, Esq. in Support of Application to Employ Corey B. Beck as Attorney for Debtor in Possession Filed by COREY B. BECK on behalf of CENSO LLC. |
| 28 | 1/24/2020 | 341 Meeting Concluded - Assets. |
| 29 | 1/31/2020 | Monthly Operating Report for Filing Period Ending October 31, 2019 Filed by COREY B. BECK on behalf of CENSO LLC. |
| 30 | 1/31/2020 | Monthly Operating Report for Filing Period Ending November 30, 2019 Filed by COREY B. BECK on behalf of CENSO LLC. |
| 31 | 1/31/2020 | Monthly Operating Report for Filing Period Ending December 31, 2019 Filed by COREY B. BECK on behalf of CENSO LLC. |
| 32 | 2/3/2020 | Motion to Extend Exclusivity Period for Filing a Chapter 11 Plan and/or Disclosure Statement Filed by COREY B. BECK on behalf of CENSO LLC. |
| 33 | 2/3/2020 | Motion for Order Shortening Time Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)32 Motion to Extend/Limit Exclusivity Period filed by Debtor CENSO LLC.) |
| 34 | 2/3/2020 | Attorney Information Sheet Filed by COREY B. BECK on behalf of CENSO LLC. |
| 35 | 2/4/2020 | Order Granting Motion for Order Shortening Time (Related document(s) 33). Hearing scheduled 2/12/2020 at 09:30 AM at MKN-Courtroom 2, Foley Federal Bldg. |

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| 36 | 2/4/2020 | Amended Motion to Extend Exclusivity Period for Filing a Chapter 11 Plan and/or Disclosure Statement Filed by COREY B. BECK on behalf of CENSO LLC. |
| 37 | 2/5/2020 | Certificate of Service with Mailing Matrix Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)33 Motion for Order Shortening Time filed by Debtor CENSO LLC.) |
| 38 | 2/26/2020 | Request for Special Notice Filed by MICHAEL W. CHEN on behalf of NewRez LLC, F/K/A New Penn Financial, LLC, D/B/A Shellpoint Mortgage Servicing. |
| 39 | 2/28/2020 | Amended Declaration Of: Corey B. Beck, Esq. Under Penalty of Perjury of Corey B. Beck, Esq., in Support of Application to Employ Corey B. Beck, Esq., as Attorney under General Retainer Seeking Nunc Pro Tunc Approval to Date of Filing Filed by COREY B. BECK on behalf of CENSO LLC. |
| 40 | 3/2/2020 | Order Granting Motion To Extend/Limit Exclusivity Period. |
| 42 | 3/3/2020 | Order Granting Application to Employ. |
| 43 | 3/6/2020 | Monthly Operating Report for Filing Period Ending January 2020 Filed by COREY B. BECK on behalf of CENSO LLC. |
| 44 | 3/24/2020 | Monthly Operating Report for Filing Period Ending February 2020 Filed by COREY B. BECK on behalf of CENSO LLC. |
| 45 | 5/18/2020 | Motion for Relief from Stay Property: 11441 Allerton Park Drive #411, Las Vegas, NV 89109 Fee Amount \$181. with Proposed Order with Certificate of Service Filed by MICHAEL W. CHEN on behalf of NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING (Attachments: # 1 Exhibits)(CHEN, MICHAEL). |
| 46 | 5/18/2020 | Receipt of Filing Fee for Motion for Relief from Stay(19-16636-mkn) [motion,mrlfsty] (181.00). Receipt number 19542185, fee amount \$ 181.00. |
| 47 | 5/18/2020 | Notice of Hearing Hearing Date: 06/24/2020 Hearing Time: 9:30am with Certificate of Service Filed by MICHAEL W. CHEN on behalf of NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING (Related document(s)45 Motion for Relief from Stay filed by Creditor NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING) (CHEN, MICHAEL). |

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| 48 | 5/19/2020 | Hearing Scheduled/Rescheduled. Hearing scheduled 6/24/2020 at 09:30 AM at MKN-Courtroom 2, Foley Federal Bldg. (Related document(s)45 Motion for Relief from Stay filed by Creditor NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING). |
| 49 | 6/2/2020 | Monthly Operating Report for Filing Period Ending March 2020 Filed by COREY B. BECK on behalf of CENSO LLC. |
| 50 | 6/2/2020 | Monthly Operating Report for Filing Period Ending April 2020 Filed by COREY B. BECK on behalf of CENSO LLC. |
| 51 | 6/15/2020 | Request for Special Notice Filed by MICHAEL W. CHEN on behalf of NewRez LLC d/b/a Shellpoint Mortgage Servicing. |
| 52 | 6/15/2020 | Opposition to NewRez, LLC., d/b/a Shellpoint Mortgage Servicing's Motion for Relief From Automatic Stay with Certificate of Service Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)45 Motion for Relief from Stay filed by Creditor NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING.) (Attachments: # 1 Exhibit Copy of December 19, 2013 Foreclosure Deed # 2 Exhibit Copy of December 13, 2014 Quitclaim Deed # 3 Exhibit Copy of January 9, 2019 Grant Bargain Sale Deed # 4 Exhibit Copy of October 31, 2018 Order # 5 Exhibit Copy of Allerton Property Appraisal) (BECK, COREY). |
| 53 | 6/22/2020 | Stipulation By CENSO LLC. and Between MICHAEL W. CHEN, ESQ., on behalf of NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING to Continue Motion for Relief From Stay Hearing Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)45 Motion for Relief from Stay filed by Creditor NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING) |
| 54 | 6/23/2020 | Stipulated/Agreed Order (Related document(s)53 Stipulation filed by Debtor CENSO LLC..) |
| 57 | 7/7/2020 | Adversary case 20-01077. Complaint to Determine Extent and Validity of Lien Pursuant to Bankruptcy Rule 7001(2) Filed by CENSO LLC. vs. NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING, BANK OF AMERICA, Federal National Mortgage Association Fee Amount \$350. (Attachments: # 1 Exhibit Foreclosure Deed # 2 Exhibit Quitclaim Deed # 3 Exhibit 2007 Deed of Trust # 4 Exhibit 2007 Deed of Trust # 5 Exhibit March 29, 2010 Deed of Trust) (21 (Validity, priority or extent of lien or other interest in property))(BECK, COREY). |

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| 58 | 7/7/2020 | Supplement Opposition to NewRez, LLC., d/b/a ShellPoint Mortgage Servicing's Motion for Relief From Automatic Stay with Certificate of Service Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)45 Motion for Relief from Stay filed by Creditor NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING) (BECK, COREY). |
| 59 | 7/8/2020 | Document Clarification Regarding Motion for Relief From Automatic Stay with Certificate of Service Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)45 Motion for Relief from Stay filed by Creditor NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING) (Attachments: # 1 Exhibit January 9, 2019 Recorded Grant, Bargain, Sale Deed and Recorded Transfer.) (BECK, COREY). |
| 60 | 7/9/2020 | Monthly Operating Report for Filing Period Ending May 2020 Filed by COREY B. BECK on behalf of CENSO LLC. |
| 65 | 7/17/2020 | Order Granting in part, Denying in part Motion For Relief From the Automatic Stay. |
| 66 | 7/17/2020 | Clerk Forwarded Document to BNC for Noticing. (Related document(s)65 Order on Motion For Relief From Stay). |
| 67 | 7/19/2020 | BNC Certificate of Mailing - pdf (Related document(s)66 Document Forwarded to BNC for Noticing (BNC)) No. of Notices: 2. Notice Date 07/19/2020. |
| 68 | 7/22/2020 | Notice of Entry of Order Terminating Automatic Stay with Certificate of Service Filed by MICHAEL W. CHEN on behalf of NEWREZ LLC, FKA NEW PENN FINANCIAL, LLC, DBA SHELLPOINT MORTGAGE SERVICING (Related document(s)65 Order on Motion For Relief From Stay) (Attachments: # 1 Order) (CHEN, MICHAEL). |
| 73 | 7/31/2020 | Application Motion for Relief From Judgment Pursuant to FRCP 59 and Bankruptcy Rule 9023 Filed by COREY B. BECK on behalf of CENSO LLC. (Attachments: # 1 Exhibit Order Lifting Stay # 2 Exhibit Declaration of Melani Schulte)(BECK, COREY). |
| 74 | 7/31/2020 | Notice of Hearing Hearing Date: September 2, 2020 Hearing Time: 9:30 AM Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)73 Miscellaneous Application filed by Debtor CENSO LLC.)(BECK, COREY). |
| 75 | 7/31/2020 | Certificate of Service with Mailing Matrix Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)73 Miscellaneous Application filed by Debtor CENSO LLC., 74 Notice of Hearing filed by Debtor CENSO LLC.) (Attachments: # 1 Mailing Matrix) (BECK, COREY). |

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| 76 | 8/3/2020 | Hearing Scheduled/Rescheduled. Hearing scheduled 9/2/2020 at 09:30 AM at MKN-Courtroom 2, Foley Federal Bldg. (Related document(s)73 Miscellaneous Application filed by Debtor CENSO LLC.) |
| 77 | 8/6/2020 | Monthly Operating Report for Filing Period Ending June 2020 Filed by COREY B. BECK on behalf of CENSO LLC. |
| 89 | 8/31/2020 | Amended Complaint to Determine Extent and Validity of Lien Pursuant to Bankruptcy Rule 7001(2) Filed by COREY B. BECK on behalf of CENSO LLC. against all defendants (Attachments: # 1 Exhibit Foreclosure Deed # 2 Exhibit Quitclaim Deed # 3 Exhibit October 31, 2019 Order in Federal District Court Case # 4 Exhibit 2007 Deed of Trust # 5 Exhibit March 29, 2010 Deed of Trust) (BECK, COREY). |
| 90 | 9/1/2020 | Monthly Operating Report for Filing Period Ending July 31, 2020 Filed by COREY B. BECK on behalf of CENSO LLC. |
| 91 | 9/1/2020 | Opposition to Debtor's Motion for Relief from Judgment with Certificate of Service Filed by MICHAEL W. CHEN on behalf of NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING (Related document(s)73 Miscellaneous Application filed by Debtor CENSO LLC.) (Attachments: # 1 Certificate of Service) (CHEN, MICHAEL). |
| 92 | 9/2/2020 | Minute Entry Re: hearing on 9/2/2020 9:30 AM. Continued. (related document(s): 69 Motion for Relief from Stay filed by NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING) Appearances: COREY B. BECK, MICHAEL W. CHEN Status Hearing to be held on 09/16/2020 at 09:30 AM at MKN-Courtroom 2, Foley Federal Bldg. |
| 93 | 9/2/2020 | Minute Entry Re: hearing on 9/2/2020 9:30 AM. Continued. (related document(s): 73 Miscellaneous Application filed by CENSO LLC.) Appearances: COREY B. BECK, MICHAEL W. CHEN Status Hearing to be held on 09/16/2020 at 09:30 AM at MKN-Courtroom 2, Foley Federal Bldg. |
| 95 | 9/15/2020 | Reply to Response to Motion from Judgment Pursuant to FRCP Rule 59 and Bankruptcy Rule 9023 Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)94 Response filed by Creditor NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING.) (BECK, COREY). |
| 97 | 9/18/2020 | Order On Motion For Relief From Judgment Pursuant To FRCP Rule 59 And Bankruptcy Rule 9023. |
| 98 | 9/18/2020 | Clerk Forwarded Document to BNC for Noticing. (Related document(s)97 Order on Miscellaneous Application). |

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| 102 | 10/2/2020 | Notice of Appeal. Filed by COREY B. BECK on behalf of CENSO LLC.. Fee Amount \$298 (Related document(s)97 Order on Miscellaneous Application.) |
| 103 | 10/5/2020 | Appeal Reference Number 20-29 (Related document(s)102 Notice of Appeal filed by Debtor CENSO LLC.) |
| 104 | 10/5/2020 | Notice of Referral of Appeal to BAP. Appeal Reference # 20-29 (Related document(s)102 Notice of Appeal filed by Debtor CENSO LLC..) |
| 105 | 10/5/2020 | Transmittal Form to BAP (Related document(s)102 Notice of Appeal filed by Debtor CENSO LLC..) |
| 106 | 10/5/2020 | Appeal Memorandum to BAP. Appeal Reference # 20-29 (Related document(s)102 Notice of Appeal filed by Debtor CENSO LLC..) |
| 107 | 10/5/2020 | Clerk Forwarded Appeal Documents to BNC for Noticing to: BAP (Related document(s)102 Notice of Appeal filed by Debtor CENSO LLC..) |
| 108 | 10/6/2020 | Receipt of Filing Fee for Notice of Appeal(19-16636-mkn) [appeal,ntcapl] (298.00). Receipt number 19789246, fee amount \$ 298.00.(re: Doc#102) (BECK, COREY) |
| 109 | 10/13/2020 | BAP Appeal Court Case# NV-20-1240 Appeal Reference # 20-29 (Related document(s)102 Notice of Appeal filed by Debtor CENSO LLC..) |

STATEMENT OF ISSUES

1. Whether Bankruptcy Court erred in denying Debtor's Motion for Relief From Judgment pursuant to FRCP Rule 59 and Bankruptcy Rule 9023?
2. Whether there is valid debtor-creditor relationship between debtor and NewRez, LLC., as to 11411 Allerton Park Drive property?
3. Whether debtor's proposal of paying adequate protection to NewRez, LLC., while adversary case (20-01077) is appropriate basis for automatic stay to remain while lawsuit is pending?
4. Whether there is highly unusual circumstances in said case to justify relief from order on Motion from Judgment?

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1 DATED this 16th day of October, 2020.

2 Respectfully submitted,

3 /s/ COREY B. BECK
4 COREY B. BECK, ESQ.
5 Nevada Bar No.: 005870
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12 Attorney for Debtor

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